

Serial Number 1943/66



**THE SUPPLY CONTROL EMERGENCY REGULATIONS 1939,  
AMENDMENT NO. 2**

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C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 28th day of  
April, 1943.

Present :

THE RIGHT HON. P. FRASER PRESIDING IN COUNCIL.

PURSUANT to the Emergency Regulations Act, 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

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REGULATIONS.

1. These regulations may be cited as the Supply Control Emergency Regulations 1939, Amendment No. 2, and shall be read together with and deemed part of the Supply Control Emergency Regulations 1939\* (hereinafter referred to as the principal regulations).

2. (1) In addition to the other functions conferred upon him by the principal regulations, the Minister of Supply and Munitions shall be charged with the general function of securing, maintaining, and regulating the supply of goods of any kind to the extent to which it appears to him to be necessary or expedient so to do, whether the goods are required for any armed force, for the Government of New Zealand, for the Government of any other country, or for the community or any persons in the community, and whether or not any powers or functions in relation to the goods are conferred upon any Controller by the principal regulations.

(2) Nothing in this regulation shall be construed to limit any powers that may be conferred upon any Controller by the principal regulations.

\* Statutory Regulations 1939, Serial number 1939/131, page 599.

Amendment No. 1: Statutory Regulations 1940, Serial number 1940/121, page 428.

Amended: Statutory Regulations 1941, Serial number 1941/09, Regulation 2, page 252.

3. (1) The Minister shall have and be deemed to have always had power to do all things appearing to him to be necessary or expedient for the effectual exercise of any of the powers or functions conferred upon him or upon any Controller by the principal regulations (including these regulations), and in particular to do all or any of the following things:—

- (a) To buy, procure under any “lend-lease” arrangement or other international agreement, or otherwise acquire, and to sell or otherwise dispose of, and generally to deal in goods of any kind, whether in New Zealand or elsewhere :
- (b) To undertake or arrange the importation of goods of any kind into New Zealand :
- (c) To undertake or arrange the distribution of goods of any kind to such persons in such manner and on such terms and conditions (whether as to price or otherwise) as the Minister thinks fit :
- (d) To regulate, restrict, and control the use, sale, supply, distribution, and disposal of goods of any kind :
- (e) To arrange for any persons to give such assistance to the Minister, and exercise such of his powers and functions, on such terms and conditions (whether as to remuneration or otherwise) as the Minister thinks fit.

(2) Regulation 4 of the Supply Control Emergency Regulations 1939, Amendment No. 1,\* is hereby amended by revoking clause (5).

(3) The heading to the said Regulation 4 is hereby amended by omitting the words “ or Purchase ”.

4. (1) Where the Minister of Customs is satisfied that the Minister of Supply and Munitions is arranging, controlling, or regulating the importation of goods of any class during any period, the Minister of Customs shall not be bound to receive or consider any application made under the Import Control Regulations 1938† by any person for a license to import any goods of that class during that period.

(2) Where at any time before the commencement of this regulation public notice has been given to the effect that the importation of goods of any specified class during any specified period was being or would be arranged by the Ministry of Supply, the Minister of Customs shall not be bound or be deemed to have been at any time bound to receive or consider any application made under the Import Control Regulations 1938† by any person for a license to import any goods of that class during that period.

(3) The Minister of Supply and Munitions shall have and be deemed to have always had an absolute discretion as to whether or not he will undertake or arrange the importation or distribution of the whole or any part of the goods required by any person and as to the conditions upon or subject to which he will do so, including conditions as to the manner in which and the persons to whom persons desirous of importing or obtaining goods are to furnish particulars of their requirements. The Minister shall not be bound or be deemed to have been at any time bound to take into consideration the requirements of any such person unless the conditions imposed by the Minister have been complied with.

\* Statutory Regulations 1940, Serial number 1940/121, page 428.  
† Statutory Regulations 1938, Serial number 1938/161, page 695.

5. (1) The Minister of Supply and Munitions may from time to time enter into such contracts as may appear to him to be necessary to enable him to exercise his powers and functions under the principal regulations (including these regulations).

(2) All such contracts shall be deemed to be entered into on behalf of His Majesty the King, and may be executed by the Minister or by any person acting pursuant to a delegation under Regulation 4 of the principal regulations.

(3) Any such contract may be at any time in like manner varied or discharged.

(4) The Minister may from time to time publish in the *Gazette* standard terms and conditions which may be incorporated with or without modification in any contract made for the purposes of the principal regulations (including these regulations).

6. The Minister may from time to time require any person to furnish, in a form to be approved by or acceptable to the Minister, any information or particulars that may be required by him for the purposes of the principal regulations (including these regulations).

7. Regulation 3 of the principal regulations is hereby amended by inserting, after clause (1), the following clause:—

“(1A) A judicial inquiry may be held under this regulation for any of the purposes specified in section 13 of the Board of Trade Act, 1919,\* or for the purpose of obtaining any information or particulars that may be required by the Minister for the purposes of these regulations; and the provisions of sections 14 to 25 of the Board of Trade Act, 1919, and all other relevant provisions of that Act, shall, with the necessary modifications, apply accordingly.”

8. Regulation 10 of the principal regulations, as amended by Regulation 7 of the Supply Control Emergency Regulations 1939, Amendment No. 1†, is hereby further amended by adding the following clause:—

“(5) Section 50 of the Justices of the Peace Act, 1927‡, shall not apply with respect to any prosecution for an offence against these regulations.”

C. A. JEFFERY,  
Clerk of the Executive Council.

\* See Reprint of Statutes, Vol. VIII, page 629.

† Statutory Regulations 1940, Serial number 1940/121, page 428.

‡ See Reprint of Statutes, Vol. II, page 365.

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Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 29th day of April, 1943.

These regulations are administered in the Department of Industries and Commerce, Tourist and Publicity.